

IPW RCE/1652\$



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PTO/SB/30 (05-03)  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
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P.O. Box 1450  
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Application Number	09/753,752
Filing Date	January 2, 2001
First Named Inventor	Jay M. Short
Art Unit	1652
Examiner Name	D.M. Ramirez
Attorney Docket Number	DIVER1200-3

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

- a. ☒ Previously submitted
  - i. ☒ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on September 22, 2003.  
(Any unentered amendment(s) referred to above will be entered).
  - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii. ☐ Other \_\_\_\_\_
- b. ☐ Enclosed
  - i. ☐ Amendment/Reply
  - iii. ☐ Information Disclosure Statement & Form PTO-1449
  - ii. ☐ Affidavit(s)/Declaration(s)
  - iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☒ Other Transmittal Letter, Petition for Extension of Time (four (4) months) and Return Receipt Postcard

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1355.
  - i. ☒ RCE fee required under 37 CFR 1.17(e)
  - ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
  - iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed is Check No. 561128 in the amount of \$1,125.00 in payment of the **SMALL ENTITY** RCE fee (\$385.00) and the four (4) month extension of time fee (\$740.00).
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)  
**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Lisa A. Haile, J.D., Ph.D.	Registration No. (Attorney/Agent)	38,347
Signature		Date	June 14, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type)	Gregory P. Austin	Date	June 14, 2004
Signature			

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